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December 21, 2023

**VIA ECF**

The Honorable Judge Dale E Ho  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**Re: *Mbaye et al v. RCI Hospitality Holdings, Inc. et al***  
**Case No. 1:23-cv-02967(DEH)**

Dear Judge Ho:

We represent Defendants RCI Hospitality Holdings, Inc., Peregrine Enterprises Inc., RCI 33rd Ventures, Inc., 48 West 33rd Street Corp., RCI Dining Services (37th Street), Inc., Eric Langan, and Kes Senevi (collectively "Defendants") in the above-captioned matter. We respectfully write to request a deadline to file an opposition brief to Plaintiffs' motion for collective certification, up to and until January 19, 2024.

This is Defendants' first request for an extension of time for its opposition to Plaintiffs' motion. The current deadline is December 28, 2023. Pursuant to this request, Defendants also request a January 26, 2024 deadline for Plaintiffs' reply brief. The foregoing extension is requested because, due to the holidays and vacation schedules, Defendants need the additional time to submit their briefing. Plaintiffs consent to this requested extension. The next conference before the Court is the post-discovery conference scheduled for April 11, 2024.

Thank you for your consideration of this request.

Respectfully Submitted,

/s/ Jeffrey A. Kimmel

Jeffrey A. Kimmel  
Partner  
For the Firm

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cc: Plaintiffs' attorney (via ECF)

Application GRANTED. Defendants shall file their opposition by **January 19, 2024**. Plaintiffs shall file their reply by **January 26, 2024**.

SO ORDERED.

The Clerk of Court is respectfully requested to terminate ECF No. 59.

A handwritten signature in black ink, appearing to read "Dale Ho", with a stylized flourish at the end.

Dale E. Ho  
United States District Judge  
New York, New York  
Dated: December 21, 2023